



MAYOR AND COUNCIL AGENDA

NO. 8

DEPT.: Community Planning and Development Services DATE PREPARED: 1/31/06

STAFF CONTACT: Jeremy Hurlbutt, Planner I

FOR MEETING OF: 2/6/06

SUBJECT:

Adoption of Resolution to extend time for decision: Street Closing and Abandonment Application SCA2005-00095, for the permanent abandonment of a 750 square foot unimproved segment of the right-of-way for Beall Avenue near the northeast quadrant of the intersection of Beall Avenue and North Washington Street, Rockville Town Center Investors, LLC, Applicant.

RECOMMENDATION:

Staff recommends that this resolution be adopted at the meeting of February 6, 2006.

DISCUSSION:

Chapter 21, Section 21-97 of the Rockville City Code requires the Mayor and Council to take action on an abandonment application within sixty (60) days of the conclusion of the hearing on the application, which was December 19, 2005, unless such time is extended by resolution.

The application was removed from the agenda at the Mayor and Council meeting on January 17, 2006, so the applicant could determine how not approving the abandonment would affect any future architectural plans for the project. That analysis has not been completed. Due to Zoning Ordinance requirements, a resolution extending the time for their deliberations beyond the 60-day limit needs to be approved.

Next Steps:

Discussion and Instructions will continue at a future Mayor and Council meeting.

PREPARED BY:



Jeremy Hurlbutt, Planner I

APPROVED BY:


Jim Wasilak, AICP, Chief of Planning

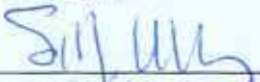
1-31-06
DATE:

APPROVED BY:


Arthur D. Chambers, AICP, Director

1/31/06
DATE:

APPROVED BY:


Scott Ullery, City Manager

2/1/06
DATE:

LIST OF ATTACHMENTS:

1. Resolution Extending Time for Decision
2. Context Map

ATTACHMENT 1

Resolution No.	RESOLUTION	To extend time for decision, Street Closing and Abandonment Application No. SCA2005-00095, Rockville Town Center Investor, LLC, applicant
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WHEREAS, on August 30, 2005, the applicant filed street closing and abandonment application No. SCA2005-00095; and

WHEREAS, on December 19, 2005, the Mayor and Council of Rockville conducted a public hearing on the street closing and abandonment application SCA2005-00095; and

WHEREAS, at the time of the hearing, certain issues were raised in connection with the subject right-of-way to be abandoned; and

WHEREAS, the Mayor and Council have requested additional information prior to final action on the abandonment application; and

WHEREAS, Chapter 21, Section 21-97 of the Rockville City Code requires the Mayor and Council to take final action on an abandonment application within sixty (60) days of the conclusion of the hearing on the application, unless such time is extended by resolution; and

WHEREAS, it is the desire of the Mayor and Council to extend the time within which action must be taken on Street Closing and Abandonment Application SCA2005-00095, until April 24, 2006.

NOW, THEREFORE, BE **RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND**, that pursuant to Chapter 21, Section 21-97 of the Rockville City Code, the time for the decision on the above application be and the same is hereby extended to April 24, 2006.

Resolution No.

-2-

I hereby certify that the foregoing is a true and correct copy
of a Resolution adopted by the Mayor and Council at its
meeting of

Claire F. Funkhouser, City Clerk



Attachment #2

HUNGERFORD DR

DAWSON AVE

WASHINGTON ST

N WASHINGTON ST

BEALL AVE

WOOD LN

W MIDDLE LA

E MIDDLE LA

3

Abandonment Area